STAND. COM. REP. NO. 8775 -14

Honolulu, Hawaii

Rebruam 28, 2014

RE: H.B. No. 2052 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2052, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROVIDER ORDERS FOR LIFE-SUSTAINING TREATMENT,"

begs leave to report as follows:

The purpose of this measure is to increase access to physician orders for life-sustaining treatment by, among other things:

- (1) Authorizing advanced practice registered nurses to sign such orders;
- (2) Updating the name of such orders to provider orders for life-sustaining treatment (POLST) and making other statutory references to reflect the inclusion of other healthcare providers;
- (3) Correcting inconsistencies in terms used to describe who may sign a POLST on behalf of a patient; and
- (4) Requiring the Department of Health to develop and adopt a sample POLST form.

The Executive Office on Aging, Maui County Office on Aging, Hawaii Pacific Health, Hawaii Association of Health Plans, Hawaii Medical Service Association, American Medical Response, Healthcare Association of Hawaii, American Organization of Nurse Executives, Hawaii State Center for Nursing, and numerous concerned individuals testified in support of this measure. The Queen's Health Systems, Kokua Mau, Hospice Hawaii, and several concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that to be validly executed a POLST form must always be signed by a patient's provider;
- (2) Specifying that a legally authorized representative may execute a POLST regardless of the patient's capacity and only if authority to do so is designated by the patient;
- (3) Requiring that the Department of Health adopt as opposed to develop a sample form; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2052, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2052, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR 833 ·14

Record of Votes of the Committee on Judiciary

13	ee Referral:	Up Date	2/25/14	
☐ The committee is reconsidering its previous decision			2102	
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. HAR, Sharon E. (VC)				
3. BELATTI, Della Au	The North Control of		2. 40°C	
4. BROWER, Tom				
5. CREAGAN, Richard				
6. ITO, Ken				
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris		2-444-1-402 ×500 0k 0000000000000000000000000000000	COMMITTEE AND ADMINISTRATION OF THE PROPERTY O	
9. NAKASHIMA, Mark M.				/ 100
10. TSUJI, Clift			303Mg3C1.F2c 1.pu 1988mg78999999999999555.2.00	SHIRAMINI - REMAIN CAN AREA AREA AREA
11. WOOLEY, Jessica				MOL
12. MCDERMOTT, Bob				100 (5 4 8 0 0 0 0 0 3 4 3 0 0 0 0 0 0 0 0 0 0 0 0
13. THIELEN, Cynthia				
TOTAL (13)	9			X404
The recommendation is: Adopted If joint referral,	□ Not Adopte	did not suppo	ort recommendation	
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				